

ORIGINAL

FILED
COURT OF CRIMINAL APPEALS
STATE OF OKLAHOMA

APR 18 2023

IN THE COURT OF CRIMINAL APPEALS
OF THE STATE OF OKLAHOMA

JOHN D. HADDEN
CLERK

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THE CLERK SHALL ENTER THE FOLLOWING ORDERS OF THE COURT:

1 MA-2023-196
Beckham County
Case No. CF-2015-188
Honorable Jill C. Weedon
District Judge

KENNETH H. TIBBETS v. THE
DISTRICT COURT OF
BECKHAM COUNTY

ORDER DISMISSING REQUEST AS MOOT

On March 29, 2023, the District Court fully adjudicated Petitioner's complaints regarding the pending matters in this case. Petitioner's request for a Writ of Mandamus is therefore **MOOT** and is **DISMISSED**.

CONCUR: Rowland, P.J.; Hudson, V.P.J.; Lumpkin, J.; Lewis, J.; Musseman, J.

2 MA-2023-279
Pottawatomie County
Case Nos. CF-2012-850, and
CF-2013-757C
Honorable Tracy McDaniel
Associate District Judge

JOSEPH M. NEAY v. THE
STATE OF OKLAHOMA

ORDER DECLINING JURISDICTION

Rule 10.3, *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch.18, App. (2023) requires an applicant seeking extraordinary relief to serve notice on the adverse party when requesting relief from this Court. Petitioner has failed to give adequate notice to the proper party. The Court **DECLINES** jurisdiction and **DISMISSES** this matter.

CONCUR: Rowland, P.J.; Hudson, V.P.J.; Lumpkin, J.; Lewis, J.; Musseman, J.

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Order 04-03-23

3 **MA-2023-285**
Oklahoma County
Case No. CF-2005-369
Honorable N. Nikki
Kirkpatrick
District Judge

JAMIE LYNN PAYNE v.
OKLAHOMA COUNTY

ORDER DECLINING JURISDICTION

Rule 10.3, *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch.18, App. (2023) requires an applicant seeking extraordinary relief to serve notice on the adverse party when requesting relief from this Court. Petitioner has failed to give adequate notice to the proper party. The Court **DECLINES** jurisdiction and **DISMISSES** this matter.

CONCUR: Rowland, P.J.; Hudson, V.P.J.; Lumpkin, J.; Lewis, J.; Musseman, J.

4 **MA-2023-185**
Muskogee County
Case No. CF-2019-277
Honorable Orvil Loge
Associate District Judge

MICHAEL K. TOMBLINSON v.
THE STATE OF OKLAHOMA

ORDER DISMISSING REQUEST AS MOOT

On July 28, 2022, the District Court fully adjudicated Petitioner's complaints regarding the pending matters in this case. Petitioner's request for a Writ of Mandamus is therefore **MOOT** and is **DISMISSED**.

CONCUR: Rowland, P.J.; Hudson, V.P.J.; Lumpkin, J.; Lewis, J.; Musseman, J.

Order 04-03-23

5 MA-2023-189
Muskogee County
Case No. CF-2019-277
Honorable Orvil Loge
Associate District Judge

MICHAEL K. TOMBLINSON v.
THE STATE OF OKLAHOMA

ORDER DISMISSING REQUEST AS MOOT

On September 28, 2022, the District Court fully adjudicated Petitioner's complaints regarding the pending matters in this case. Petitioner's request for a Writ of Mandamus is therefore **MOOT** and is **DISMISSED**.

CONCUR: Rowland, P.J.; Hudson, V.P.J.; Lumpkin, J.; Lewis, J.; Musseman, J.

6 MA-2023-288
Muskogee County
Case No. CF-2001-793
Honorable Norman Thygesen
Associate District Judge

DONYEIL JEROME MCINTOSH
v. THE STATE OF OKLAHOMA

ORDER DECLINING JURISDICTION

Rule 10.3, *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch.18, App. (2023) requires an applicant seeking extraordinary relief to serve notice on the adverse party when requesting relief from this Court. Petitioner has failed to give adequate notice to the proper party. The Court **DECLINES** jurisdiction and **DISMISSES** this matter.

CONCUR: Rowland, P.J.; Hudson, V.P.J.; Lumpkin, J.; Lewis, J.; Musseman, J.

7 HC-2023-278
Cleveland County
Case No. WH-2023-3
Honorable Jeff Virgin
District Judge

DAVID BRIAN MORGAN v. THE
STATE OF OKLAHOMA

ORDER DECLINING JURISDICTION

Rule 10.3, *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch.18, App. (2023) requires an applicant seeking extraordinary relief to serve notice on

Order 04-03-23

the adverse party when requesting relief from this Court. Petitioner has failed to give adequate notice to the proper party. The Court **DECLINES** jurisdiction and **DISMISSES** this matter.

CONCUR: Rowland, P.J.; Hudson, V.P.J.; Lumpkin, J.; Lewis, J.; Musseman, J.

8 PC-2023-297
Comanche County
Case No. CF-2021-427
Honorable Scott Meaders
District Judge

**DEREK BRANDON SHOOK v.
THE STATE OF OKLAHOMA**

ORDER DECLINING JURISDICTION

This Court will only entertain applications for post-conviction relief if Petitioner has sought and been denied relief in the District Court. Rule 5.1 and 5.2(A), *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch.18, App. (2023). Petitioner is required to file with this Court, among other things, a certified copy of the District Court order denying the request for relief. See Rule 5.2(C)(2), *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch.18, App. (2023). Petitioner's pleading requesting post-conviction relief does not contain a copy of a trial court order or records sufficient to prove he was denied relief in the District Court. The Court **DECLINES** jurisdiction and **DISMISSES** this matter.

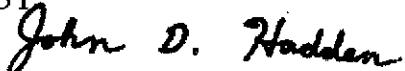
CONCUR: Rowland, P.J.; Hudson, V.P.J.; Lumpkin, J.; Lewis, J.; Musseman, J.

IT IS SO ORDERED.

WITNESS MY HAND AND THE SEAL OF THIS COURT this 18th
day of April, 2023.


SCOTT ROWLAND, Presiding Judge

ATTEST:



Clerk